REMARKS

[0002] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-11 and 13-41 are presently pending. Claims 1, 4, 9-11, 17, 20, 23, 30-33, 38, and 39 are amended herein. Claims 8 and 24 are cancelled without prejudice or disclaimer.

Formal Request for an Interview

[0003] If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0004] Please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

Claim Amendments

[0005] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1, 4, 9-11, 17, 20, 23, 30-33, 38, and 39 herein.

[0006] Claim 1 is amended to recite, *inter alia*, "[t]he game [being] monitored only on a game server" and "[i]dentifying … one or more cheating players whose play exceeds

the threshold." Support for the amendment can be found throughout the application, including for example, Figs. 1, 2 and 5 with the associated text. In particular, it is mentioned that "[t]he game server includes a cheater detection portion 109. The cheater detection portion 109 monitors the game being played." (Specification at paragraph [0021], lines 2-3). The Specification further explains how a cheating player is identified, for example, in paragraph [0056] as follows:

> "In 510 of the cheater detection process 500, the threshold value for the player monitor is applied to at least one player within the game. If the play of any player exceeds the threshold value, then their play is logged in 512 within the criteria based logging portion 204 as shown in Fig. 2. Such logging of the play includes storing data inputs (e.g., keystrokes) compared to the state of the game at that particular time that can be used to indicate whether the player is cheating. As described relative to Figs. 2 and 3, the logging activity is optional in certain versions of games. The logged play can thereupon be examined by, for example, a game operator to determine whether the play constitutes cheating. By having a detailed log of the cheater's actions, the game operator can not only punish the cheater accordingly, but also consider any player-exploitable game condition. If desired, the game operator can also correct, or work with the game designer to correct, the player-exploitable game condition. Such correction removes the player-exploitable game condition so that subsequently none of the players in the game can exploit that game condition."

[0007] Claims 17, 23 and 32 are similarly amended, and are supported by the application too. Accordingly, no new matter will be introduced by the amendment. Entry is respectfully requested.

Substantive Matters

Claim Rejections under § 112

[0008] Claims 1-16 and 33 are rejected under 35 U.S.C. § 112, 2nd ¶. In light of the amendments presented herein, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw these rejections.

Claim Rejections under § 101

[0009] Claims 1-16 and 23-31 are rejected under 35 U.S.C. § 101. In light of the amendments presented herein, Applicant respectfully submits that these claims comply with the patentability requirements of § 101 and that the § 101 rejections should be withdrawn.

[0010] Claim 1 is herein amended to produce a "tangible result": cheating players and player-exploitable game conditions are identified and dealt with to prevent from further occurrence.

[0011] Claim 23 is herein amended to produce "logged play" on a computer storage media: a tangible result used to identify cheating players.

[0012] Therefore, claims 1 and 23 are considered to fall within the statutory subject matter in compliance with MPEP 2106. Accordingly, Applicant asks the Examiner to withdraw these rejections.

[0013] If the Examiner maintains the rejection of these claims, then the Applicant requests additional guidance as to what is necessary to overcome the rejection.

Claim Rejections under §§ 102 and/or 103

[0014] Claims 1-11 and 13-41 are rejected under 35 U.S.C. § 102 and/or § 103. In light of the amendments presented herein, Applicant submits that these rejections are moot. In particular, the cited references, whether in part or in combination, fail to disclose or suggest all the features recited in amended claims. Accordingly, Applicant asks the Examiner to withdraw these rejections.

[0015] Claim 1, as amended, recites:

> 1. A method comprising:
>
> monitoring players in a game, wherein the game is monitored only on a game server;
>
> based on said monitoring, identifying one or more player-exploitable game conditions, wherein the player-exploitable game conditions are identified, at least in part, by observing a player's play of the game;
>
> setting a threshold against which the play of a number of players is compared, wherein the threshold can be modified in real time; and
>
> identifying, among the number of players, one or more cheating players whose play exceeds the threshold, whereby the cheating players and player-exploitable game conditions are dealt with to prevent from further occurrence.

[0016] The cited references do not teach or disclose monitoring a game "only on a game server" or "identifying…cheating players" on the basis of their play that exceeds a pre-determined threshold.

[0017] The cited references, Valve Anti-Cheat Module ("VAC"), are directed to an anti-cheat implementation introduced by Valve Software to detect cheating during game playing. According to the cited references, VAC adopts a client-side anti-cheat/server-side variable/file checking implementation to detect cheatings. (See client side cheat

detection under Section "Counter-Strike anti-cheats" in "Cheating in Counter-Strike"). VAC is "[e]ssentially a client side anti-cheat mechanism that is integrated in the Half-Life engine and automatically kept up to date, [combining] the ease of use of server-side anti-cheats with the detection rate of a client-side anti-cheat." *Id.* "VAC is a client side anti-cheat module that is distributed to clients through VAC secured servers, so there is no need to download additional software for players. The servers are updated automatically whenever new VAC modules are released, this way neither admins nor players need to do anything to be up to date." (See "How does VAC/VSM work?"). In other words, for each player who plays the game, a client-side VAC is initiated along with the launch of the game engine and monitoring any cheatings on the client side when the game is being played. Accordingly, VAC does not teach monitoring players in a game "**ONLY** on a game server." (Emphasis added).

[0018] Furthermore, VAC does not teach or disclose "identifying…cheating players" based on their game play that exceeds a pre-determined threshold as recited in claim 1. Instead, VAC functions to scan client-side player's computer memory for running any cheating programs. In addition, to fight back online cheatings, VAC enforces a new method called wallhack-block, which consists of additional checks on each player's point of view to decide whether a player should be able to see an enemy or not. Counter-Strike is a very popular First-person Shooter ("FPS") game, and a lot of cheatings are specially designed to wall hack (making walls and sometimes entities translucent to allow a player to see and effectively shoot enemies through walls, a cheating that should not happen during normal game playing). By scanning the client-side computer memory for any running cheating programs and enforcing wallhack-blocks, VAC can effectively prevent cheatings. However, VAC fails to teach identifying

cheating players based on their game play, in particular, based on whether the play of the cheating players exceeds a pre-defined threshold. The detection methods used by VAC are all client-side based (i.e., scanning client's computer memory, enforcing client-side wallhack-block) and do not identify cheating players by comparing their game play with a threshold.

[0019] Accordingly, since not all features recited in claim 1 are disclosed in the cited references, claim 1 is respectfully asserted patentably distinct from VAC.

[0020] Similarly, since claims 17, 23 and 32 incorporate at least the same features, Applicant submits they are also in condition for allowance for at least the same reasons.

[0021] Finally, Applicant has not specifically addressed the rejections of the dependent claims. Applicant respectfully submits that the independent claims, from which they depend, are in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicant, however, reserves the right to address such rejections of the dependent claims in the future as appropriate.

CONCLUSION

[0022] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the Examiner is urged to contact me before issuing a subsequent Action. Please call/email me or my assistant at your convenience.

Respectfully Submitted,

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